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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,991	12/14/2001	Tadamasa Yamanaka	B-4436 619405-1	8406
36716	7590	10/20/2005	EXAMINER	
LADAS & PARRY 5670 WILSHIRE BOULEVARD, SUITE 2100 LOS ANGELES, CA 90036-5679			HOOSAIN, ALLAN	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/017,991

Applicant(s)

YAMANAKA ET AL.

Examiner

Allan Hoosain

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 33-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 33-53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## FINAL DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 39-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Gormley** in view of **Sheldon et al.** (US 5,765,143).

As to Claims 33,38-39,40,45-46,47-53, with respect to Figures 1-2, **Gormley** teaches a parts management system, comprising a mobile unit and a service center, wherein the mobile unit comprises:

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a collecting device that collects maintenance and diagnostic data (management information) related to management of parts of the mobile unit (Col. 8, lines 25-30); and

a mobile unit transmitting device that transmits the management information to the service center (Col. 8, lines 25-30), and

wherein the service center comprises

service center analysis (a determining device) that determines whether or not at least one part required for replacement exists in the parts of the mobile unit based on the transmitted management information (Col. 8, lines 34-36);

a service center transmitting device that transmits the part replacement information to the mobile unit,

wherein the mobile unit further comprises a notifying device that notifies the transmitted part replacement information to a user of the mobile unit;

**Gormley** does not teach the following limitation:

“an acquiring device that acquires part replacement information from parts suppliers related to replacement of at least one part required for replacement, in a case where it is determined by the determining device that at least one part required for replacement exists”

However, it is obvious that **Gormley** suggests the limitation. This is because **Gormley** teaches servicing vehicles at a dealer (Col. 8, lines 37-50). **Sheldon** teaches a host computer (acquiring device) receiving order information for vehicle parts (acquiring part replacement information) (Figure 3 and Col. 6, lines 56-67). Having the cited analogous art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add part replacement capability to **Gormley**'s invention for having available vehicle replacement

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parts as taught by **Sheldon's** invention in order to provide service to operators when they bring their vehicles for servicing.

As to Claims 34-35,41-42, **Gormley** teaches the part management system according to claim 33,

**Gormley** does not teach the following limitation:

“wherein the part replacement information is information related to status of the parts supplier's stock of the part required for replacement”

However, it is obvious that **Gormley** suggests the limitation. This is because **Gormley** teaches servicing vehicles at a dealer (Col. 8, lines 37-50). **Sheldon** teaches a host computer (acquiring device) receiving order information for vehicle parts (acquiring part replacement information) stock and inventory information (Figure 3 and Col. 6, lines 18-24).

Having the cited analogous art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add part replacement capability to **Gormley's** invention for having available vehicle replacement parts as taught by **Sheldon's** invention in order to provide service to operators when they bring their vehicles for servicing.

As to Claims 36-37,43-44, **Gormley** teaches the part management system according to claim 33,

**Gormley** does not teach the following limitation:

“wherein the part replacement information is information related to labor charges of the parts supplier”

However, it is obvious that **Gormley** suggests the limitation. This is because **Gormley** teaches servicing vehicles at a dealer (Col. 8, lines 37-50). **Sheldon** teaches a host computer

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(acquiring device) receiving order information for vehicle parts (acquiring part replacement information) and inventory cost information (Figure 3 and Col. 15, lines 45-53). Having the cited analogous art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add part replacement capability to **Gormley's** invention for having available vehicle replacement parts as taught by **Sheldon's** invention in order to provide service to operators when they bring their vehicles for servicing.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claim have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Untiedt et al.** (US 2005/0125313) teach filling vehicle part orders from vehicle dealers.

**Lynch** (5,857,184) teaches databases which organizes and retrieves order data.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any response to this final action should be mailed to:

**Box AF**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(571) 273-8300, (for formal communications; please mark "EXPEDITED  
PROCEDURE")

**Or:**

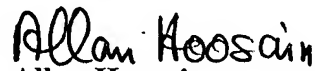
(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to Carlyle, Alexandria,  
VA 22313 (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (571) 272-7543. The examiner can normally be reached on Monday to Friday from 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang**, can be reached on (571) 272-7547.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

  
**Allan Hoosain**  
**Primary Examiner**  
10/17/05